

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIOELDON CLAUDE DICKERSON AND
RUTH VIRGINA DICKERSON,

Plaintiffs,

-vs-

A-BEST PRODUCTS COMPANY, ET AL.,

Defendants.

CASE NO. 398302

(JUDGE HARRY A. HANNA)

**DEFENDANT, ROCKBESTOS-SURPRENANT CABLE CORP.'S SUPPLEMENTAL
ANSWERS AND OBJECTIONS TO PLAINTIFFS' FIRST MASTER SET OF
INTERROGATORIES**

Defendant THE ROCKBESTOS COMPANY n/k/a Rockbestos-Surprenant Cable Corp. (hereinafter referred to as "Rockbestos"), by and through counsel of record, Hermann Cahn & Schneider, as and for its supplemental responses to Plaintiffs' First Master Set of Interrogatories, sets forth the following:

GENERAL OBJECTIONS

Rockbestos, a Delaware Corporation with its principle place of business in Clinton, Massachusetts, makes the following general and specific objections to Plaintiffs' First Master Set of Interrogatories (the "discovery requests") which appear generally to have been prepared for cases pending against thermal insulation manufacturers and not against wire and cable manufacturers. These objections are asserted to each of the discovery requests propounded by the Plaintiffs.

Within the context of these general and specific objections, Rockbestos asserts that it has made reasonable efforts to locate and/or compile responsive information and will attempt to provide answers to these discovery requests, or parts thereof. In so proceeding, Rockbestos does not waive its right to assert any objection to such discovery request, including the following general and specific objections. Rockbestos reserves the right to advance such

objections and to supplement, modify or amend them at a later time if any effort is made by any party to obtain more specific answers to these discovery requests than as herein provided by Rockbestos.

On the basis of this foregoing general statement of objection, the following continuing objections are made to Plaintiffs' discovery requests:

1. The discovery requests as drawn are directed to a myriad of defendants, generally, whose business operations involved the manufacture and sale of asbestos-containing insulation and other products without any attempt to tailor or individualize the discovery requests to obtain information reasonably calculated to lead to the discovery of admissible evidence against Rockbestos. Rockbestos only manufactures wire and cable products, some of which formerly contained bonded, saturated and encapsulated chrysotile asbestos. Rockbestos did not manufacture and sell asbestos-containing insulation or any other asbestos-containing product. As a result, such general discovery requests are overly broad, unduly burdensome and not reasonably calculated to lead the discovery of admissible evidence against Rockbestos.

2. Rockbestos objects to Plaintiffs' discovery requests to the extent that they seek the general or "corporate knowledge" of Rockbestos or its employees in as much as it is impossible to set forth the corporate knowledge of all Rockbestos employees, past and present.

3. Rockbestos objects to Plaintiffs' discovery requests as overly broad and not reasonably calculated to lead to the discovery of admissible evidence insofar as they are unlimited in scope as to time or as to a specific Rockbestos product to which the Plaintiffs claim exposure.

4. Rockbestos objects to each discovery request as vague and ambiguous to the extent that it contains terms that are undefined or to the extent that the definitions provided for those terms go beyond the customary and accepted definitions of those terms.

5. Rockbestos objects to each discovery request to the extent that it seeks information or the production of documents which are privileged as attorney work-product, attorney-client communications, or as self-critical analysis.

The foregoing general objections to Plaintiffs' discovery requests for production are incorporated by reference into each and every Rockbestos response that follows as though and as if the same had been set forth fully at length therein.

Rockbestos does not waive its right to object at trial, on any ground, whether or not asserted herein. Discovery is ongoing and Rockbestos expressly reserves the right to amend its responses to the discovery requests as allowed under the applicable rules governing the Courts of the State of Ohio.

INTERROGATORIES

5. Has Defendant ever engaged in the mining, manufacturing, selling, marketing, installation or distribution of asbestos-containing products? If so, please state the following:

- (a) The name of the company engaged in the activity (whether it is Defendant, Defendant's predecessor, Defendant's subsidiary or some other entity related to Defendant);
- (b) As to each product mined, manufactured, sold, marketed, installed or distributed, please state the following:
 - (1) The trade or brand name.
 - (2) Its identification number (model, serial number, etc.).
 - (3) The time period it was manufactured, mined, marketed, distributed or sold.
 - (4) Its physical description including color, general composition, and form.
 - (5) A detailed description of its intended use and purpose.
 - (6) A detailed description of the type [sic] package in which it was sold, listing the dates of each type of package used, a physical description of the package, and a description of any printed material or trademarks that appeared thereon.
 - (7) The percent of asbestos which it contained.
 - (8) The percent of asbestos by asbestos type (amosite, crocidolite, tremolite, anthophyllite, chrysotile).
- (c) The time period during which each of these products were on the market;
- (d) The material component's/ingredients of each such product, giving specific or approximate percentage both by weight and by volume of each material component/ingredient (this interrogatory is not limited to the asbestos component of the product but seeks information as to the nature.

weight and volume of non-asbestos ingredients, as well) of each such product;

- (e) How each of these asbestos-containing product can be distinguished from those of competitors;
- (f) A description of the physical appearance of such product;
- (g) A detailed description of the intended uses.

ANSWER: See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory as harassing, unduly burdensome, overly broad and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year period. This interrogatory is also objectionable because it seeks the disclosure of confidential trade secret information. Within this context and subject to these objections, Rockbestos states that it only manufactures wire and cable products, some of which formerly contained bonded, saturated, and encapsulated chrysotile asbestos. Rockbestos never mined, manufactured, sold, marketed, installed or distributed any raw asbestos or other asbestos-containing product.

Rockbestos manufactured its bonded, saturated and encapsulated chrysotile asbestos-containing wire and cable products from 1920 through 1986. Rockbestos states that it would be impossible to list each and every wire and cable product containing bonded, saturated and encapsulated chrysotile asbestos that it manufactured from 1920 to 1986, and to provide the exact mineralogical content of each product, as Rockbestos manufactured literally hundreds of different types of wire over that period of time and the composition of the wire varied over time. Many Rockbestos wire and cable products contained no asbestos at all.

In an effort to respond to this interrogatory, Rockbestos states that it utilized only chrysotile asbestos in the construction of its asbestos-containing wire and cable products. The purpose of Rockbestos' wire and cable products was to conduct electrical current.

Rockbestos' wire and cable products were packaged on reels, spools and in boxes. Rockbestos' logo was an hourglass in a circle.

With regard to the specific types of wire identified by Plaintiffs in the "Queen City Steel" documents, Rockbestos states that it did not manufacture "2/0 Type RH Black Wire Natl.". Documents responsive to this request exist and are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.

6. Does Defendant or any of its subsidiary companies claim that any patent would cover any product listed in answer to Interrogatory No. 5? If so, please state the following:

- (a) The date of each patent;
- (b) The date same was issued;
- (c) The number of each patent application that is pending.

ANSWER: See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory as overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year time period. Within this context and subject to these objections, Rockbestos states that, to the best of its knowledge, "16-2 Type C.A. Rockbestos Cab. Cord" utilized patents issued to Herbert O. Anderson under patent numbers 1,840,282 (issued on January 5, 1932) and 1,861,404 (issued on May 31, 1932), and that #12 Gauge Standard 300 Volt Table W Rockbestos-Extra Flexible All Asbestos Cable was not patented. Rockbestos also states that it did not manufacture "2/0 Type RH black wire Natl.".

To the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20

Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.

7. Have any of the products listed above in answer to Interrogatory No. 5 been altered in chemical composition since first being marketed? If so, please state the following:

- (a) The trade name of each such product;
- (b) The date each such product was altered;
- (c) The nature of the alteration;
- (d) The reason for the alteration.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory as overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it is unlimited in scope as to time. Rockbestos further objects to this interrogatory on the grounds that it is vague and ambiguous in its use of the undefined phrase "altered in chemical composition." Within this context and subject to these objections, Rockbestos states that it would be impossible to list each and every wire and cable product containing bonded, saturated and encapsulated chrysotile asbestos that it manufactured from 1920 to 1986, and to provide the exact mineralogical content of each product, as Rockbestos manufactured literally hundreds of different types of wire over that period of time and the composition of the wire varied over time.*

With regard to the specific types of wire identified by Plaintiffs in the "Queen City Steel" documents, Rockbestos states that it did not manufacture "2/0 Type RH Black Wire Natl.". To the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley

Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice. See also, Rockbestos' answer and objections to interrogatory no. 5.

8. Have any of the asbestos-containing products listed in response to Interrogatory No. 5 ever been marketed, distributed, packaged, labeled, and/or sold by any other company or business? If so, please state the following:

- (a) The name and address of each such company.
- (b) The names and address of Defendant's distributors in Ohio, West Virginia, Pennsylvania and Kentucky since 1940.
- (c) The date of each sale.
- (d) The name of the person at each location with whom you primarily dealt.
- (e) A list of all asbestos-containing products that you sold to each location from 1945 to 1980.
- (f) The amount of each asbestos product sold to each location during this period.
- (g) Please identify all documents relating to this distributor for the particular location.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year time period. Within this context and subject to these objections, Rockbestos states that to the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.*

8.01 Has Defendant ever purchased asbestos-containing products from any other Defendant?

ANSWER: See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it is unlimited in scope as to time. Within this context and subject to these objections, Rockbestos states that, to the best of its knowledge, the answer is no.

8.03 Has Defendant ever sold asbestos-containing products to any other Defendant?

ANSWER: See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discover of admissible evidence as it seeks information over a 66-year period. Within this context and subject to these objections, Rockbestos states that it only manufactures wire and cable products, some of which formerly contained bonded, saturated, and encapsulated chrysotile asbestos. Rockbestos possesses a sales record summary relating to the sale of its wire and cable products containing bonded, saturated, and encapsulated chrysotile asbestos only for the years 1981-1986. A review of those sales records does reveal sales of Rockbestos' asbestos-containing wire and cable products to: General Electric during 1981 and 1982; Owens-Illinois Glass Co. during 1983; PPG Industries during 1981, 1982, 1983, 1985 and 1986; Westinghouse during 1981, 1983 and 1985; F.D. Lawrence Electric Co. during 1981, 1984 and 1986; and Ingersoll-Rand during 1984 and 1985. To the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.

8.04 If the answer to the preceding Interrogatory is yes, please state the following:

- (a) name each Defendant to whom this Defendant sold any asbestos-containing product:

- (b) list each product sold to each co-Defendant;
- (c) list the dates of each sale of asbestos-containing products to each co-Defendant.

ANSWER: *See General Objections which are incorporated herein by reference. Within this context and subject to these objections, see Rockbestos' answer and objections to interrogatory no. 8.03. To the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.*

8.05 Has Defendant engaged in the manufacture and/or sale and/or distribution and/or marketing and/or supply and/or purchase and/or use of non-asbestos-containing products for use in connection with temperatures above 125 ° Fahrenheit since 1930? If so, please state:

- (a) the date such activity began;
- (b) the years during which such activity took place;
- (c) the date when such activity was terminated;
- (d) if such activity was terminated, the reason(s) why;
- (e) the geographical area into which you claim the product(s) were sold, purchased, or used;
- (f) identify the organizational unit of Defendant so engaged;
- (g) the site(s) at which each such product was manufactured;
- (h) the material components of each such product, giving specific or approximate percentage both by weight and by volume of each material component of each such product;
- (i) the temperature ranges for which each product(s) was intended to be used;
- (j) the product's generic name;
- (k) the product's trade or brand name;
- (l) the container in which the product was shipped (i.e., paper bags, cardboard boxes) including the size and amount of the container;
- (m) a description of any logos, writing impressions or identifying markings which appeared on the product, as well as a description of the package

used, the dates that type of package was used, and any logos, product names, trademarks, etc. which appeared on the package;

- (n) whether the words "non-asbestos" or "asbestos free" were used on the package;
- (o) a detailed description of the intended method of preparation and application of the product;
- (p) a description of the physical appearance of the product, including size, shape, color and texture.

ANSWER: See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory as harassing, unduly burdensome, overly broad and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year period. This interrogatory is also objectionable because it seeks the disclosure of confidential trade secret information. Within this context and subject to these objections, Rockbestos states that it only manufactured wire and cable products.

Rockbestos states that it would be impossible to list each and every non-asbestos containing wire and cable product that it manufactured from 1930 to the present, and to provide the exact mineralogical content of each product, as Rockbestos manufactured literally hundreds of different types of wire over that period of time and the composition of the wire varied over time.

In an effort to respond to this interrogatory, Rockbestos states that the purpose of Rockbestos' wire and cable products was to conduct electrical current. Rockbestos' wire and cable products were packaged on reels, spools and in boxes. Rockbestos' logo was an hourglass in a circle. Rockbestos does manufacture currently, and has manufactured in the past, non-asbestos containing wire and cable products for use in connection with temperatures above 125 °F. To the extent that documents responsive to this request exist and are in

Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.

8.1 Does Defendant have reason to believe that any of the asbestos-containing products listed in response to Interrogatory No. 5 were used at any of the sites listed on Exhibit A, attached hereto? If your answer is "yes", please state:

- (a) The basis of your answer.
- (b) Which of Defendant's asbestos-containing products listed in Interrogatory No. 5 were used at each job site listed on Exhibit A.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year time period. Within this context and subject to these objections, Rockbestos states that it possesses a summary of the sales of bonded, saturated, and encapsulated chrysotile asbestos-containing wire and cable products only for the years 1981-86; except that documents of sales to nuclear power plants are retained for forty (40) years pursuant to government regulations. A review of the 1981 to 1986 summary does not reveal any sales of Rockbestos' asbestos-containing wire and cable products to any of the entities listed on Exhibit A during that time period. To the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.*

8.2 For each company or business that Defendant knows may have marketed, distributed, installed, and/or sold those products listed in response to Interrogatory No. 5, please state the following as to each job site listed on Exhibit A:

- (a) The name and address of each such company;
- (b) The date of each sale from Defendant to such other company;
- (c) The name of the person at each other company with whom Defendant primarily dealt.
- (d) Names and quantities of the asbestos-containing products that you marketed, distributed, installed, and/or sold to each such company from 1950 to 1974.
- (e) Identify all documents relating to the sales to each such company.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year time period. Within this context and subject to these objections, Rockbestos states that to the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice. See also, Rockbestos' answer and objections to interrogatory no. 8.1.*

8.3 If you do not know any business that may have marketed, distributed, installed, and/or sold the products listed in response to Interrogatory No. 5 to any of the job sites listed on Exhibit A, please state the names and last known addresses of those companies who Defendant knows marketed, distributed, installed and/or sold their asbestos-containing products in Ohio from 1950 to 1974. For each of those companies, please state the following:

- (a) Name and address of each such company;

- (b) The dates of each sale from Defendant to such other company;
- (c) The name of the person at each other company with whom Defendant primarily dealt;
- (d) The names of the asbestos-containing products that Defendant marketed, distributed, and/or sold to each such company from 1950 to 1974.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 24-year period. Within this context and subject to these objections, Rockbestos states that it possesses a summary of the sales of bonded, saturated and encapsulated chrysotile asbestos-containing wire and cable products only for the years 1981-86; except that the documents of sales to nuclear power plants are retained for forty (40) years pursuant to government regulations. A review of the 1981 to 1986 summary does not reveal any sales of Rockbestos' asbestos-containing wire and cable products to either of the facilities listed on Exhibit A during that time period. To the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.*

8.4 Does Defendant have records and/or any knowledge that reflects sales of their asbestos-containing products to any of the sites listed on Exhibit A, attached hereto? If so, please state the following as to each job site listed on Exhibit A:

- (a) The names and last known addresses of those people with such knowledge.
- (b) The location of such records.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year period. Within this context and subject to these objections, see Rockbestos' answer and objections to interrogatory nos. 8.1 and 8.3.*

9. Did Defendant or any of Defendant's distributors, as listed in response to Interrogatory Nos. 8.1, 8.2, and/or 8.3 have sales representatives who specifically called on the sites listed on Exhibit A, attached hereto, from 1945 to 1975? If your response is yes, as to each site listed on Exhibit A, please state the following:

- (a) The name and last known address of each such representative and whether they are still employed by Defendant;
- (b) The period of time they acted as your representative;
- (c) Their general responsibility as to each facility;
- (d) Whether that person is still alive; and
- (e) Any documents relating, referring or pertaining thereto.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 30-year period. Within this context and subject to these objections, see Rockbestos' answer and objections to interrogatory nos. 8.1, 8.2, and 8.3.*

9.1 Identify all managers and sales personnel responsible for your sales or installation of any asbestos-containing products in Ohio from 1930 to the present and state their position, last known address and the local or regional office through which they were employed.

ANSWER: See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 56-year period. Within this context and subject to these objections, see Rockbestos' answer and objections to interrogatory nos. 8.1, 8.2, and 8.3.

10. Did Defendant ever have any division or subsidiary engaged in the contract business of applying or removing asbestos-containing products? If so, please state:

- (a) The name of each subdivision;
- (b) The full address of the home office and the date such subdivision or subsidiary was engaged in this contracting business; and
- (c) Whether said division or subsidiary conducted such business at any of the sites listed on Exhibit A from 1940 to 1975? If so, please state the following as to each job site listed on Exhibit A:
 - (1) The dates of such contracts;
 - (2) The specific asbestos-containing products that were used or removed in each contract.

ANSWER: See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 35-year period. Rockbestos further objects to this interrogatory on the grounds that it is vague and ambiguous in its use of the undefined phrase "contract business." Within this context and subject to these objections, and as Rockbestos understands the phrase "contract business," to the best of Rockbestos' knowledge, the answer is no.

12. Please identify by location and product produced, each plant in which products listed in your answer to Interrogatory No. 5 have been manufactured and/or assembled and the dates said plants have been in operation.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year period. Within this context and subject to these objections, Rockbestos states that it manufactured the majority of its wire and cable products that contained bonded, saturated, and encapsulated chrysotile asbestos at 285 Nicoll Street, New Haven, Connecticut, from 1920 to 1986 and certain of these products at 20 Bradley Park Road, East Granby, Connecticut, in the late 1970s. To the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.*

13.2 Do you have within your custody, possession, or control any packages that presently or formerly packaged asbestos-containing products or were produced for the purpose of packaging asbestos-containing products contemporaneous with your manufacture sale or distribution of such asbestos-containing products? If so, provide the following:

- (a) a description of each such package;
- (b) the present location and custodian of each such package;
- (c) the date or approximate date on which each such package was produced.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible*

evidence as it seeks information over a 66-year period. Within this context and subject to these objections, see Rockbestos' answer and objections to interrogatory no. 5. Rockbestos further states that to the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.

14. What is the name, address and job title of each individual who participated in the design and preparation of manufacturing specifications for each such product listed above in answer to Interrogatory No. 5?

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year period. Within this context and subject to these objections, Rockbestos states that to the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.*

15. As to each product listed in response to Interrogatory No. 5, please describe how each product was to be cut, shaped, scribed, mixed and applied on the job. In answering this question, give particular reference as to whether or not the materials were to be sawed or cut on the job, blown into confined areas, mixed with water in a cement or paste.

ANSWER: See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year period. Within this context and subject to these objections, Rockbestos states that it only manufactures wire and cable products, some of which formerly contained bonded, saturated, and encapsulated chrysotile asbestos. To the best of Rockbestos' knowledge, its wire and cable products containing bonded, saturated, and encapsulated products were never scribed, mixed, blown into confined areas, or mixed with water in a cement or paste. Rockbestos wire and cable products containing bonded, saturated, and encapsulated chrysotile asbestos were cut and stripped as part of the installation process.

16. Based upon the material contents of the asbestos-containing products, the method of manufacturing, and the method of application, please state which products listed in Interrogatory No. 5 could be applied by a worker without creating dust.

ANSWER: See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year period. Rockbestos further objects to this interrogatory on the grounds that it assumes that Rockbestos' wire and cable products created dust. Within this context and subject to these objections, see Rockbestos' answer and objections to interrogatory no. 5.

Rockbestos further states that it only manufactures wire and cable products, some of which formerly contained bonded, saturated, and encapsulated chrysotile asbestos. All of the wire and cable manufactured by Rockbestos met the specifications of the National

Electrical Code and government specifications regarding asbestos, for the wire and cable products that contained bonded, saturated and encapsulated chrysotile asbestos. Rockbestos further states that it at all times adhered to applicable and controlling guidelines promulgated by OSHA and that it is unaware of any credible scientific evidence regarding the alleged adverse health hazards of electrical wire and cable products containing bonded, saturated, and encapsulated chrysotile asbestos. Rockbestos further asserts that its products were safe at all times when used properly and for their intended purpose.

To the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.

17. Do any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character now exist relating to the design and preparation of the products listed in answer to Interrogatory No. 5? If so, please:

- (a) List each such written material or document;
- (b) Identify the person or persons presently in possession of each such document;
- (c) State where each such document is located.

ANSWER: See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year period. Within this context and subject to these objections, and with regard to the specific types of wire identified by Plaintiffs in the

"Queen City Steel" documents. Rockbestos also states that it did not manufacture "2/0 Type RH Black Wire Natl." Documents responsive to this request exist and are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.

18. Prior to releasing the products listed in Interrogatory No. 5 for sale and usage, were any tests (either animal or human) conducted on said products to determine potential health hazards involved in the use of, or exposure to, the materials and/or products? If so, please state:

- (a) The name of the products tested and the date of each test.
- (b) The name, address, and job classification of each individual who conducted such tests;
- (c) The results of such tests.

ANSWER: See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year period. Rockbestos further objects to this interrogatory on the grounds that it seeks information protected by the privilege of self-critical analysis. Within this context and subject to these objections, Rockbestos states that it only manufactures wire and cable products, some of which formerly contained bonded, saturated, and encapsulated chrysotile asbestos. All of the wire and cable manufactured by Rockbestos met the specifications of the National Electrical Code and government specifications regarding asbestos, for the wire and cable products that contained bonded, saturated, and encapsulated chrysotile asbestos. Rockbestos further states that it at all times adhered to applicable and controlling guidelines promulgated by OSHA and that it is unaware of any credible scientific evidence regarding the alleged adverse health hazards of electrical wire and

cable products containing bonded, saturated, and encapsulated chrysotile asbestos.

Rockbestos further asserts that its products at all times were safe when used properly and for their intended purpose. Rockbestos states that to the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.

19. Does Defendant have or control any documents, including but not limited to, written memoranda, specifications, recommendations, blueprints or other written materials of any kind or character relating to the testing of the products listed in Interrogatory No. 5 hereinabove?

- (a) Identify each such written material or document;
- (b) Identify each person who presently has possession of each such document;
- (c) State where each such document is located.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory as overly broad and unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year time period. Rockbestos also objects to this interrogatory on the grounds that it seeks information protected by the privilege of self-critical analysis. Within this context and subject to these objections, Rockbestos states that all of the wire and cable manufactured by Rockbestos met the specifications of the National Electric Code and government specifications regarding asbestos, for those wire and cable products that contained bonded, saturated, and encapsulated chrysotile asbestos. Rockbestos further states that it at all times adhered to all applicable and controlling guidelines promulgated by OSHA and asserts that its products were safe at all times when used properly and for their intended*

purpose. Rockbestos notes that on January 31, 1994, Clayton Environmental Consultants, Inc., issued a report entitled "Industrial Hygiene Assessment Limited to the Evaluation of Asbestos Fibers Released During Stripping of Rockbestos Cables", a copy of which was produced with Rockbestos' Answers and Objections to Plaintiffs' First Master Set of Interrogatories. Rockbestos further states that to the extent that documents responsive to this request exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility, located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.

41. As to each product listed in response to Interrogatory No. 5, please state whether Defendant, at any time, published and/or distributed any printed materials, including but not limited to brochures, pamphlets, catalogs, packagings or other written materials of any kind or character that contain any warnings, cautions, caveats or directions concerning the possible health effects of the products on a person. If so, please state as to each product:

- (a) The name of each relevant product;
- (b) The wording of each such warning;
- (c) A description of each such printed material;
- (d) The method used to distribute the warning to persons who are likely to use the products;
- (e) The date each such warning was issued;
- (f) Whether any warning accompanied any of your asbestos-containing products' sales literature, handout or pamphlets;
- (g) Please attach a copy of the warning and date said warning was issued;
- (h) The name, address, and job classification of each person who presently has possession of the above-described documents;
- (i) The name or names and addresses of the company who provided, produced, or manufactured the boxes or containers on which the warning appeared and dates these boxes with the warnings appeared.

ANSWER: See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad, unduly burdensome, and harassing as it seeks information over a 66-year period. Within this context and subject to these objections, Rockbestos states that by responding to this and to other interrogatories, Rockbestos neither admits nor agrees that it had a duty to communicate to the Plaintiffs or with Plaintiffs' employers, nor does Rockbestos admit that there were any adverse health effects from exposure to its wire and cable products. Although specifically exempted from labeling requirements pursuant to OSHA's exemption for encapsulated products, after December 1, 1979, labels were attached to all Rockbestos wire and cable products containing bonded, saturated, and encapsulated chrysotile asbestos. These labels read "Caution. Contains asbestos fibers. Avoid creating dust. Breathing asbestos dust may cause serious bodily injury." The text of this label never changed.

Rockbestos further states that all of the wire and cable it manufactured met the specifications of the National Electrical Code and government specifications regarding asbestos, for those wire and cable products that contained bonded, saturated, and encapsulated chrysotile asbestos. Rockbestos further states that it at all times adhered to all applicable and controlling guidelines promulgated by OSHA and is unaware of any credible scientific evidence regarding the alleged adverse health hazards of electrical wire and cable products containing bonded, saturated, and encapsulated chrysotile asbestos. Rockbestos further states that all of its wire and cable products were safe when used properly and for their intended purpose. To the extent that additional documents responsive to this interrogatory exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage

facility located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.

42. Has sales material been prepared by Defendant or its agents for purposes of marketing or advertising the asbestos products listed in answer to Interrogatory No. 5? If so, please state:

- (a) The name and address of each person or entity who prepared same;
- (b) The name, address and job title of each person who presently has possession of same;
- (c) The date same was prepared;
- (d) The media used to disseminate the sales material.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year period. Within this context and subject to these objections, Rockbestos states that additional documents responsive to this interrogatory exist and are stored in Rockbestos' document storage facility located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.*

43. Has any written material of any kind or character been prepared by Defendant, Defendant's predecessor or any of Defendant's subsidiary companies or their agents indicating how the products listed in answer to Interrogatory No. 5 should be used or maintained by the ultimate user or those working in facilities or at job sites where the product was used, installed or removed, including, but not limited to, those sites listed on the job site list attached as Exhibit A? If so, please state the following:

- (a) The name, address and job classification of each person who prepared same;

- (b) The name, address and job classification of each person who presently has possession of same;
- (c) The dates and manner in which said material was distributed to purchasers of the products in answer to Interrogatory No. 5.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year period. Within this context and subject to these objections, Rockbestos states that to the extent documents responsive to this interrogatory exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.*

44. Was any written material of any kind prepared by Defendant and distributed to those individuals listed in response to Interrogatory No. 9? If so, please state the following:

- (a) Identify the written materials- by content and date;
- (b) To whom was it delivered.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory as overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence as it seeks information over a 66-year period. Within this context and subject to these objections, Rockbestos states that to the extent documents responsive to this interrogatory exist and are in Rockbestos' possession, they are stored in Rockbestos' document storage facility located at 20 Bradley Park Road, East Granby, Connecticut, and are available for inspection at reasonable times upon reasonable notice.*

46. Did Defendant give any warnings to any individuals at the sites listed on Exhibit A, including any individuals who owned, operated, or managed the facilities at the sites listed on Exhibit A, regarding the potential health hazards of any product listed in response to Interrogatory No. 5. If yes, please state:

- (a) Name of person most knowledgeable about this communication.
- (b) Name of person at the sites listed on Exhibit A, attached hereto most knowledgeable about this communication.
- (c) Dates of each communication.
- (d) Contents of each communication.

ANSWER: *See General Objections which are incorporated herein by reference. Rockbestos specifically objects to this interrogatory on the grounds that it is overly broad and unduly burdensome. Within this context and subject to these objections, see Rockbestos' answer and objections to interrogatory no. 41.*

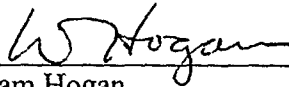
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STATE OF CONNECTICUT

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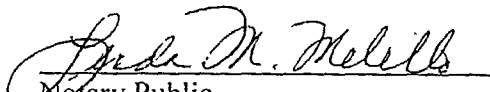
COUNTY OF NEW HAVEN

BEFORE ME, the undersigned authority in and for said State and County, personally appeared William Hogan, who being duly sworn deposes and says that he is authorized to make this affidavit on behalf of Rockbestos-Surprenant Cable Corp. and that the facts contained in the foregoing supplemental responses to Plaintiffs' First Master Set of Interrogatories are true and correct to the best of his knowledge or information and belief.


William Hogan

SWORN AND SUBSCRIBED BEFORE ME

this 31st day of May 2002. @ Hamden, C.T


Notary Public

My Commission Expires
December 31, 2005